

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF WYOMING

FILED  
U.S. DISTRICT COURT  
DISTRICT OF WYOMING

2021 JUL 22 PM 1:29

MARGARET DOTYKINS, CLERK  
CASTLE

**UNITED STATES OF AMERICA,**

Plaintiff,

v.

**SHERWIN J. WILLIAMS,**

(Counts 1, 3, 6, 7, and 9)

**TIERRA HOLLAND,**

(Counts 1 and 2)

**KENTON OLIVER THOMAS,**

(Counts 1, 7, and 8)

**DARWIN FRANCISCO THOMAS,**

(Counts 1, 2, 3, 5, 6, 7, 8)

**DEXTER ALFRED THOMAS,**

(Counts 1, 2, 4, 6)

and

**PHILLIP MARTIN FLORES,**

(Counts 1)

Defendants.

**No. 21-CR-62-J**

**Ct 1: 18 U.S.C. §§922(a)(3),  
(a)(5), 924(a)(1)(A), and  
371**

(Conspiracy to Transport  
in State of Residency a  
Firearm Acquired Outside  
of State of Residency,  
Transfer a Firearm to an  
Out-of-State Resident, and  
False Statement During  
Purchase of a Firearm)

**Cts 2-8: 18 U.S.C. §§ 924(a)(1)(A)  
and 2**

(False Statement During  
Purchase of a Firearm, Aid  
and Abet)

**Ct 9: 18 U.S.C. §§ 924(a)(1)(A)  
(False Statement During  
Purchase of a Firearm)**

**FORFEITURE NOTICE**

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**SUPERSEDING INDICTMENT**

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THE GRAND JURY CHARGES THAT:

**COUNT ONE**

From on or about July of 2020, through and including on or about April 30, 2021, in the District of Wyoming and elsewhere, the Defendants, **SHERWIN J. WILLIAMS, TIERRA HOLLAND, KENTON OLIVER THOMAS, DARWIN FRANCISCO THOMAS, DEXTER ALFRED THOMAS, and PHILLIP MARTIN FLORES**, knowingly and willfully combined, conspired, confederated, and agreed together and with other persons both known and unknown to the grand jury to commit offenses against the United States, to wit: (1) to knowingly transfer into and receive in the state of residence firearms purchased outside that state, in violation of Title 18 United States Code, Section 922(a)(3); (2) to knowingly transfer a firearm to an out-of-state resident, in violation of Title 18 United States Code, Section 922(a)(5); and (3) to knowingly make false statements during the purchase of firearms, in violation of Title 18 United States Code, Section 924(a)(1)(A).

**MANNER AND MEANS**

During this conspiracy, **SHERWIN J. WILLIAMS, KENTON OLIVER THOMAS, DEXTER ALFRED THOMAS, and PHILLIP MARTIN FLORES** all resided outside the state of Wyoming, and **TIERRA HOLLAND, DARWIN FRANCISCO THOMAS, MN and Sitreya Brown-Spigner** resided in Cheyenne, Wyoming.

It was part of the conspiracy that **SHERWIN J. WILLIAMS, TIERRA HOLLAND, KENTON OLIVER THOMAS, DARWIN FRANCISCO THOMAS, DEXTER ALFRED THOMAS, and PHILLIP MARTIN FLORES** would direct and use MN and Sitreya Brown-Spigner to purchase firearms from firearms dealers in the State of Wyoming.

It was a further part of the conspiracy that **SHERWIN J. WILLIAMS, KENTON OLIVER THOMAS, DARWIN FRANCISCO THOMAS, DEXTER ALFRED THOMAS,**

and **PHILLIP MARTIN FLORES** provided the money to MN and Sitreya Brown-Spigner to purchase firearms for them.

It was a further part of the conspiracy that, in order to purchase the firearms, MN and Sitreya Brown-Spigner were required to fill out forms stating they were the actual purchaser of the firearms when, in fact as they then well knew, the firearms were being acquired on behalf of the defendants.

It was a further part of the conspiracy that, after the purchase of the firearms, MN and Sitreya Brown-Spigner provided the purchased firearms to **SHERWIN J. WILLIAMS, KENTON OLIVER THOMAS, DARWIN FRANCISCO THOMAS, DEXTER ALFRED THOMAS, and PHILLIP MARTIN FLORES.**

It was a further part of the conspiracy that **SHERWIN J. WILLIAMS, KENTON OLIVER THOMAS, DEXTER ALFRED THOMAS, and PHILLIP MARTIN FLORES** traveled across state lines into Wyoming so that MN and Sitreya Brown-Spigner could purchase firearms for them in Wyoming.

It was a further part of the conspiracy that **SHERWIN J. WILLIAMS, KENTON OLIVER THOMAS, DEXTER ALFRED THOMAS, and PHILLIP MARTIN FLORES** traveled out of the state of Wyoming back to California with the newly purchased firearms.

It was a further part of the conspiracy that **SHERWIN J. WILLIAMS** obtained fraudulent identification from the State of Wyoming which falsely indicated that he was a resident of the State of Wyoming.

It was a further part of the conspiracy that **SHERWIN J. WILLIAMS** used his fraudulent Wyoming identification to purchase and attempt to purchase firearms in the state of Wyoming, when, in fact as he then well knew, he was a resident of California.

**OVERT ACTS**

On or about the following dates, in furtherance of the conspiracy and to accomplish its objects, the following overt acts were committed within the District of Wyoming and elsewhere.

- a. On July 13, 2020, **DARWIN FRANCISCO THOMAS** Facebook-messaged **KENTON OLIVER THOMAS**, asking where he was. **KENTON OLIVER THOMAS** responded that he was in Green River, Wyoming.
- b. On or about July 16, 2020, **KENTON OLIVER THOMAS**, **PHILLIP MARTIN FLORES**, and **DARWIN FRANCISCO THOMAS** exchanged Facebook messages discussing the types of firearms and purchase price of firearms they wanted to acquire.
- c. On or about August 11, 2020, **SHERWIN J. WILLIAMS** and **TIERRA HOLLAND** Facebook-messaged each other, in which **SHERWIN J. WILLIAMS** told **TIERRA HOLLAND** that he will pay her to find someone he can work with.
- d. On or about August 21, 2020, **TIERRA HOLLAND** Facebook-messaged **DARWIN FRANCISCO THOMAS** that MN is able to purchase four firearms. Later that day, MN purchased four firearms from Frontier Arms & Supply in Cheyenne, WY.
- e. On or about August 28, 2020, **DEXTER ALFRED THOMAS** Facebook-messaged MN that **DEXTER ALFRED THOMAS** would send MN \$750 to purchase firearms, and MN was to keep \$50.
- f. On or about August 26, 2020, Sitreya Brown-Spigner purchased four firearms from Frontier Arms and Supply in Cheyenne, WY. On August 28, 2020, **SHERWIN J. WILLIAMS** Facebook-messaged multiple individuals in attempt to sell the firearms that Sitreya Brown-Spigner purchased on August 26, 2020.



- g. On or about September 10, 2020, **DEXTER ALFRED THOMAS** text-messaged MN an order for firearms, which MN subsequently purchased that same day.
- h. On or about September 17 and 18, 2020, Sitreya Brown-Spigner purchased six firearms from Frontier Arms and Supply in Cheyenne, WY on behalf of **KENTON OLIVER THOMAS** and **SHERWIN J. WILLIAMS**. After this purchase, **KENTON OLIVER THOMAS** and **SHERWIN J. WILLIAMS** attempted to sell firearms to multiple individuals.
- i. On September 24, 2020, Sitreya Brown-Spigner purchased three firearms from Frontier Arms and Supply in Cheyenne, WY on behalf of **KENTON OLIVER THOMAS**. On or about September 25, 2020, **KENTON OLIVER THOMAS** arranged for the sale of those firearms to other individuals.
- j. On or about December 12, 2020, **SHERWIN J. WILLIAMS** fraudulently obtained a Wyoming Identification card, claiming to be a resident of Wyoming, when in fact as he then well knew, he was a resident of California.
- k. On or about March 11, 2021, **SHERWIN J. WILLIAMS** purchased four handguns from Frontier Arms and Supply in Cheyenne, WY using his fraudulently obtained Wyoming Identification Card.
- l. On or about April 12, 2021, **SHERWIN J. WILLIAMS** attempted to purchase five firearms from Frontier Arms and Supply in Cheyenne, WY, again using and attempting to use his fraudulently obtained Wyoming Identification Card.

In violation of 18 U.S.C. §§922(a)(3), (a)(5), 924(a)(1)(A) and 371.

## COUNT TWO

From on or about August 10, 2020, through and including on or about August 24, 2020, in the District of Wyoming, the Defendants, **TIERRA HOLLAND, DARWIN FRANCISCO THOMAS**, and **DEXTER ALFRED THOMAS**, knowingly aided, abetted, counseled, commanded, induced and procured MN to make a false statement and representation to a federal firearms dealer licensed under the provisions of Chapter 44 of Title 18, United States Code, with respect to information required by the provisions of Chapter 44 of Title 18, United States Code, to be kept in the records of the federal firearms dealer, in that MN did execute a Department of Justice, Bureau of Alcohol, Tobacco, Firearms, and Explosives form 4473, Firearms Transaction Record, to the effect that he was the actual buyer of the firearms indicated on the form 4473, when in fact as both he and the above-named Defendants then well knew, he was not the actual buyer of the firearms.

In violation of 18 U.S.C. §§ 924(a)(1)(A) and 2.

## COUNT THREE

From on or about August 25, 2020, through and including on or about August 29, 2020, in the District of Wyoming, the Defendants, **SHERWIN J. WILLIAMS**, and **DARWIN FRANCISCO THOMAS**, knowingly aided, abetted, counseled, commanded, induced and procured Sitreya Brown-Spigner to make a false statement and representation to a federal firearms dealer licensed under the provisions of Chapter 44 of Title 18, United States Code, with respect to information required by the provisions of Chapter 44 of Title 18, United States Code, to be kept in the records of the federal firearms dealer, in that Sitreya Brown-Spigner did execute a Department of Justice, Bureau of Alcohol, Tobacco, Firearms, and Explosives form 4473, Firearms Transaction Record, to the effect that she was the actual buyer of the firearms indicated on the

form 4473, when in fact, as both she and the above-named Defendants then well knew, she was not the actual buyer of the firearms.

In violation of 18 U.S.C. §§ 924(a)(1)(A) and 2.

#### **COUNT FOUR**

From on or about August 30, 2020, through and including on or about September 4, 2020, in the District of Wyoming, the Defendant, **DEXTER ALFRED THOMAS**, knowingly aided, abetted, counseled, commanded, induced and procured MN to make a false statement and representation to a federal firearms dealer licensed under the provisions of Chapter 44 of Title 18, United States Code, with respect to information required by the provisions of Chapter 44 of Title 18, United States Code, to be kept in the records of the federal firearms dealer, in that MN did execute a Department of Justice, Bureau of Alcohol, Tobacco, Firearms, and Explosives form 4473, Firearms Transaction Record, to the effect that he was the actual buyer of the firearms indicated on the form 4473, when in fact, as both he and the above-named Defendant then well knew, he was not the actual buyer of the firearms.

In violation of 18 U.S.C. §§ 924(a)(1)(A) and 2.

#### **COUNT FIVE**

On or about September 10, 2020, in the District of Wyoming, the Defendant, **DARWIN FRANCISCO THOMAS**, knowingly aided, abetted, counseled, commanded, induced and procured Sitreya Brown-Spigner to make a false statement and representation to a federal firearms dealer licensed under the provisions of Chapter 44 of Title 18, United States Code, with respect to information required by the provisions of Chapter 44 of Title 18, United States Code, to be kept in the records of the federal firearms dealer, in that Sitreya Brown-Spigner did execute a Department of Justice, Bureau of Alcohol, Tobacco, Firearms, and Explosives form 4473, Firearms



Transaction Record, to the effect that she was the actual buyer of the firearms indicated on the form 4473, when in fact, as both she and the above named Defendant then well knew, she was not the actual buyer of the firearms.

In violation of 18 U.S.C. §§ 924(a)(1)(A) and 2.

### **COUNT SIX**

From on or about September 6, 2020, through and including on or about September 12, 2020, in the District of Wyoming, the Defendants, **SHERWIN J. WILLIAMS, DARWIN FRANCISCO THOMAS**, and **DEXTER ALFRED THOMAS**, knowingly aided, abetted, counseled, commanded, induced and procured MN to make a false statement and representation to a federal firearms dealer licensed under the provisions of Chapter 44 of Title 18, United States Code, with respect to information required by the provisions of Chapter 44 of Title 18, United States Code, to be kept in the records of the federal firearms dealer, in that MN did execute a Department of Justice, Bureau of Alcohol, Tobacco, Firearms, and Explosives form 4473, Firearms Transaction Record, to the effect that he was the actual buyer of the firearms indicated on the form 4473, when in fact, as both he and the above-named Defendants then well knew, he was not the actual buyer of the firearms.

In violation of 18 U.S.C. §§ 924(a)(1)(A) and 2.

### **COUNT SEVEN**

From on or about September 15, 2020, through and including on or about September 21, 2020, in the District of Wyoming, the Defendants, **SHERWIN J. WILLIAMS, KENTON OLIVER THOMAS**, and **DARWIN FRANCISCO THOMAS**, knowingly aided, abetted, counseled, commanded, induced and procured Sitreya Brown-Spigner to make a false statement and representation to a federal firearms dealer licensed under the provisions of Chapter 44 of Title



18, United States Code, with respect to information required by the provisions of Chapter 44 of Title 18, United States Code, to be kept in the records of the federal firearms dealer, in that Sitreya Brown-Spigner did execute a Department of Justice, Bureau of Alcohol, Tobacco, Firearms, and Explosives form 4473, Firearms Transaction Record, to the effect that she was the actual buyer of the firearms indicated on the form 4473, when in fact, as both she and the above-named Defendants then well knew, she was not the actual buyer of the firearms.

In violation of 18 U.S.C. §§ 924(a)(1)(A) and 2.

#### **COUNT EIGHT**

From on or about September 23, 2020, through and including on or about September 24, 2020, in the District of Wyoming, the Defendants, **KENTON OLIVER THOMAS**, and **DARWIN FRANCISCO THOMAS**, knowingly aided, abetted, counseled, commanded, induced and procured Sitreya Brown-Spigner to make a false statement and representation to a federal firearms dealer licensed under the provisions of Chapter 44 of Title 18, United States Code, with respect to information required by the provisions of Chapter 44 of Title 18, United States Code, to be kept in the records of the federal firearms dealer, in that Sitreya Brown-Spigner did execute a Department of Justice, Bureau of Alcohol, Tobacco, Firearms, and Explosives form 4473, Firearms Transaction Record, to the effect that she was the actual buyer of the firearms indicated on the form 4473, when in fact, as both she and the above-named Defendants then well knew, she was not the actual buyer of the firearms.

In violation of 18 U.S.C. §§ 924(a)(1)(A) and 2.

#### **COUNT NINE**

On or about April 12, 2021, in the District of Wyoming, the Defendant, **SHERWIN J. WILLIAMS**, knowingly made a false statement and representation to a federal firearms dealer

licensed under the provisions of Chapter 44 of Title 18, United States Code, with respect to information required by the provisions of Chapter 44 of Title 18, United States Code, to be kept in the records of the Frontier Firearms and Supply, in that the **SHERWIN J. WILLIAMS** did execute a Department of Justice, Bureau of Alcohol, Tobacco, Firearms, and Explosives form 4473, Firearms Transaction Record, to the effect that he resided in the State of Wyoming, when in fact, as **SHERWIN J. WILLIAMS** then well knew, he did not reside in the State of Wyoming.

In violation of 18 U.S.C. §§ 924(a)(1)(A).


**FORFEITURE NOTICE**

1. The allegations contained in this Indictment are hereby re-alleged and incorporated by reference for the purpose of alleging forfeiture pursuant to Title 18, United States Code, Section 924(d) and Title 28, United States Code, Section 2461(c).

2. Upon conviction of the offenses set forth in this Indictment, the Defendants shall forfeit to the United States any firearms and ammunition involved in or used in the commission of the offense.

A TRUE BILL:

Ink Signature on File with the Clerk  
FOREPERSON

  
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L. ROBERT MURRAY  
Acting United States Attorney

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**PENALTY SUMMARY**


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**DEFENDANT NAME:** SHERWIN J. WILLIAMS,

**DATE:** July 20, 2021

**INTERPRETER NEEDED:** No

**VICTIM(S):** No

**OFFENSE/PENALTIES:**

**Ct. 1 18 U.S.C. §§922(a)(3) and 371**

(Conspiracy to Transport in State of Residency a Firearm  
Acquired Outside of State of Residency)

0-5 Years Imprisonment  
Up To \$250,000 Fine  
3 Years Supervised Release  
\$100 Special Assessment

**Ct: 3, 6-7 18 U.S.C. §§ 924(a)(1)(A) and 2**

(False Statement During Purchase of a Firearm, Aid and  
Abet)

0-5 Years Imprisonment  
Up To \$250,000 Fine  
3 Years Supervised Release  
\$100 Special Assessment

**Ct: 9 18 U.S.C. §924(a)(1)(A)**

(False Statement During Purchase of a Firearm)

0-5 Years Imprisonment  
Up To \$250,000 Fine  
3 Years Supervised Release  
\$100 Special Assessment

**TOTALS:** 25 Years Imprisonment  
Up To \$1,250,000 Fine  
3 Years Supervised Release  
\$500 Special Assessment

**AGENT:** Kyle LaTulippe, ATF

**AUSA:** Timothy J. Forwood, Assistant United States Attorney

**ESTIMATED TIME OF  
TRIAL:** 1 to 5 days

**WILL THE GOVERNMENT  
SEEK DETENTION IN THIS  
CASE:** No

**ARE THERE DETAINERS  
FROM OTHER  
JURISDICTIONS:** No



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**PENALTY SUMMARY**


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**DEFENDANT NAME:** TIERRA HOLLAND,

**DATE:** July 20, 2021

**INTERPRETER NEEDED:** No

**VICTIM(S):** No

**OFFENSE/PENALTIES:**

**Ct: 1 18 U.S.C. §§922(a)(3) and 371**  
 (Conspiracy to Transport in State of Residency a Firearm  
 Acquired Outside of State of Residency)

0-5 Years Imprisonment  
 Up To \$250,000 Fine  
 3 Years Supervised Release  
 \$100 Special Assessment

**Ct: 2 18 U.S.C. §§ 922(a)(6) and 924(a)(2)**  
 (False Statement During Purchase of a Firearm, Aid and  
 Abet)

0-5 Years Imprisonment  
 Up To \$250,000 Fine  
 3 Years Supervised Release  
 \$100 Special Assessment

**TOTALS:** 10 Years Imprisonment  
 Up To \$500,000 Fine  
 3 Years Supervised Release  
 \$200 Special Assessment

**AGENT:** Kyle LaTulippe, ATF

**AUSA:** Timothy J. Forwood, Assistant United States Attorney

**ESTIMATED TIME OF TRIAL:** 1 to 5 days

**WILL THE GOVERNMENT SEEK DETENTION IN THIS CASE:** Yes

**ARE THERE DETAINERS  
FROM OTHER  
JURISDICTIONS:**

No

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**PENALTY SUMMARY**


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<b>DEFENDANT NAME:</b>	<b>KENTON THOMAS,</b>
<b>DATE:</b>	July 20, 2021
<b>INTERPRETER NEEDED:</b>	No
<b>VICTIM(S):</b>	No
<b>OFFENSE/PENALTIES:</b>	<p><b>Ct. 1 18 U.S.C. §§922(a)(3) and 371</b>          (Conspiracy to Transport in State of Residency a Firearm          Acquired Outside of State of Residency)</p> <p>0-5 Years Imprisonment          Up To \$250,000 Fine          3 Years Supervised Release          \$100 Special Assessment</p> <p><b>Ct: 7-8 18 U.S.C. §§ 924(a)(1)(A) and 2</b>          (False Statement During Purchase of a Firearm, Aid and          Abet)</p> <p>0-5 Years Imprisonment          Up To \$250,000 Fine          3 Years Supervised Release          \$100 Special Assessment</p>
<b>TOTALS:</b>	15 Years Imprisonment Up To \$750,000 Fine 3 Years Supervised Release \$300 Special Assessment
<b>AGENT:</b>	Kyle LaTulippe, ATF
<b>AUSA:</b>	Timothy J. Forwood, Assistant United States Attorney
<b>ESTIMATED TIME OF TRIAL:</b>	1 to 5 days
<b>WILL THE GOVERNMENT SEEK DETENTION IN THIS CASE:</b>	Yes

**ARE THERE DETAINERS  
FROM OTHER  
JURISDICTIONS:**

No



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**PENALTY SUMMARY**


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<b>DEFENDANT NAME:</b>	<b>DARWIN THOMAS,</b>
<b>DATE:</b>	July 20, 2021
<b>INTERPRETER NEEDED:</b>	No
<b>VICTIM(S):</b>	No
<b>OFFENSE/PENALTIES:</b>	
	<b>Ct. 1 18 U.S.C. §§922(a)(3) and 371</b> (Conspiracy to Transport in State of Residency a Firearm Acquired Outside of State of Residency)  0-5 Years Imprisonment Up To \$250,000 Fine 3 Years Supervised Release \$100 Special Assessment
	<b>Ct: 2-3, 5, 6-8 18 U.S.C. §§ 924(a)(1)(A) and 2</b> (False Statement During Purchase of a Firearm, Aid and Abet)  0-5 Years Imprisonment Up To \$250,000 Fine 3 Years Supervised Release \$100 Special Assessment
<b>TOTALS:</b>	35 Years Imprisonment Up To \$1,750,000 Fine 3 Years Supervised Release \$700 Special Assessment
<b>AGENT:</b>	Kyle LaTulippe, ATF
<b>AUSA:</b>	Timothy J. Forwood, Assistant United States Attorney
<b>ESTIMATED TIME OF TRIAL:</b>	1 to 5 days
<b>WILL THE GOVERNMENT SEEK DETENTION IN THIS CASE:</b>	Yes

**ARE THERE DETAINERS  
FROM OTHER  
JURISDICTIONS:**

No

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**PENALTY SUMMARY**


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<b>DEFENDANT NAME:</b>	<b>DEXTER THOMAS</b>
<b>DATE:</b>	July 20, 2021
<b>INTERPRETER NEEDED:</b>	No
<b>VICTIM(S):</b>	No
<b>OFFENSE/PENALTIES:</b>	<p><b>Ct. 1 18 U.S.C. §§922(a)(3) and 371</b>          (Conspiracy to Transport in State of Residency a Firearm          Acquired Outside of State of Residency)</p> <p>0-5 Years Imprisonment          Up To \$250,000 Fine          3 Years Supervised Release          \$100 Special Assessment</p> <p><b>Ct: 2, 4, 6 18 U.S.C. §§ 924(a)(1)(A) and 2</b>          (False Statement During Purchase of a Firearm, Aid and          Abet)</p> <p>0-5 Years Imprisonment          Up To \$250,000 Fine          3 Years Supervised Release          \$100 Special Assessment</p>
<b>TOTALS:</b>	20 Years Imprisonment Up To \$1,000,000 Fine 3 Years Supervised Release \$400 Special Assessment
<b>AGENT:</b>	Kyle LaTulippe, ATF
<b>AUSA:</b>	Timothy J. Forwood, Assistant United States Attorney
<b>ESTIMATED TIME OF TRIAL:</b>	1 to 5 days
<b>WILL THE GOVERNMENT SEEK DETENTION IN THIS CASE:</b>	Yes

**ARE THERE DETAINERS  
FROM OTHER  
JURISDICTIONS:**

No



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**PENALTY SUMMARY**


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**DEFENDANT NAME:** PHILLIP FLORES

**DATE:** July 20, 2021

**INTERPRETER NEEDED:** No

**VICTIM(S):** No

**OFFENSE/PENALTIES:**

**Ct: 1 18 U.S.C. §§922(a)(3) and 371**  
 (Conspiracy to Transport in State of Residency a Firearm  
 Acquired Outside of State of Residency)

0-5 Years Imprisonment  
 Up To \$250,000 Fine  
 3 Years Supervised Release  
 \$100 Special Assessment

**AGENT:** Kyle LaTulippe, ATF

**AUSA:** Timothy J. Forwood, Assistant United States Attorney

**ESTIMATED TIME OF TRIAL:** 1 to 5 days

**WILL THE GOVERNMENT SEEK DETENTION IN THIS CASE:** Yes

**ARE THERE DETAINERS FROM OTHER JURISDICTIONS:** No